

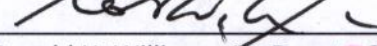


To the Honorable Council
City of Norfolk, Virginia

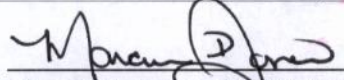
June 9, 2015

From: George M. Homewood, AICP, CFM, Planning Director

Subject: **Special exceptions for the operation of an entertainment establishment with alcoholic beverages and for a Microbrewery at 114 E. 25th Street, Unit 116 – Rip Rap Brewing**

Reviewed: 
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 2/7

Approved: 
Marcus D. Jones, City Manager

Item Number: **R-1**

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of **7 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** Special exceptions:
 - Entertainment establishment with alcoholic beverages
 - Microbrewery
- IV. **Applicants:** William T. Bell and Ben McElroy
- V. **Description:**
 - This request would allow a new business, Rip Rap Brewing, to open a new microbrewery within a currently vacant building.
 - The applicant would also like to operate an entertainment establishment in addition to the microbrewery, serving alcoholic beverages for on and off-premises consumption.
 - The applicant proposes to sell growlers (32 ounces and greater), 22 ounce bottles, and six packs of 12 ounce bottles.
 - The site is located in the Park Place neighborhood on E. 25th Street near the corner of E. 25th Street and Monticello Avenue.

	Proposed
Hours of Operation	24-hours a day, Seven days a week
Hours for Entertainment and the Sale of Alcoholic Beverages for On-Premises Consumption	5:00 p.m. until 2:00 a.m., Monday through Friday 1:00 p.m. until 2:00 a.m., Saturday 10:00 a.m. until 2:00 a.m., Sunday

Hours for the Sale of Alcoholic Beverages for Off-Premises Consumption	5:00 p.m. until 12:00 midnight, Monday through Friday 1:00 p.m. until 12:00 midnight, Saturday 10:00 a.m. until 12:00 midnight, Sunday
Capacity	48 seats indoors 15 seats outdoors 114 total capacity
Entertainment	<ul style="list-style-type: none"> • 3 member live band • Comedian • Karaoke • Poetry Reading • Game/trivia nights

Staff point of contact: Chris Whitney at 823-1253, chris.whitney@norfolk.gov

Attachments:

- Staff Report to CPC dated May 28, 2015 with attachments
- Proponents and Opponents
- Ordinances



City of NORFOLK

Planning Commission Public Hearing: May 28, 2015

Executive Secretary: George M. Homewood, AICP, CFM *THW*

Staff: Chris Whitney, CFM *CW*

Staff Report	Item No.	9
Address	114 East 25 th Street, Unit 116	
Applicant	Rip Rap Brewing Co.	
Requests	Special Exceptions	<ul style="list-style-type: none">• Entertainment establishment with alcoholic beverages• Microbrewery
Property Owner	Paul Filion	
Site Characteristics	Site Area	5,319 sq. ft.
	Zoning	C-2 (Corridor Commercial)
	Neighborhood	Park Place
	Character District	Traditional
Surrounding Area	North	C-2: 7-Eleven
	East	C-2: All-Star Temporary Services
	South	I-1: Air Specialty Corp., Faith Covenant Church
	West	C-2: Advantage Auto Stores



A. Summary of Request

- This request would allow a new business, Rip Rap Brewing Company, to convert a currently vacant warehouse building into a microbrewery.
- The applicant would also like to operate an entertainment establishment in addition to the microbrewery, serving alcoholic beverages for on and off-premises consumption.
- The applicant proposes to sell growlers (32 ounces and greater) for off-premises consumption.
- The site is located in the Park Place neighborhood near the corner of Monticello Avenue and East 25th Street.

B. Plan Consistency

The proposed special exceptions are consistent with *plaNorfolk2030*, which designates this site as commercial.

C. Zoning Analysis

i. General

- The uses are permitted in the C-2 district by special exception.

	Proposed
Hours of Operation	24-hours a day, Seven days a week
Hours for Entertainment and the Sale of Alcoholic Beverages for On-Premises Consumption	5:00 p.m. until 2:00 a.m., Monday through Friday 1:00 p.m. until 2:00 a.m., Saturday 10:00 a.m. until 2:00 a.m., Sunday
Hours for the Sale of Alcoholic Beverages for Off-Premises Consumption	5:00 p.m. until 12:00 midnight, Monday through Friday 1:00 p.m. until 12:00 midnight, Saturday 10:00 a.m. until 12:00 midnight, Sunday
Capacity	48 seats indoors 15 seats outdoors 114 total capacity
Entertainment	<ul style="list-style-type: none">• 3 member live band• Comedian• Karaoke• Poetry Reading• Game/trivia nights

ii. Parking

- The site is located in the Traditional Character District, which requires one parking space per 850 square feet of enclosed building area for microbreweries.
- The 2,340 square-foot facility is required to accommodate 3 off-street parking spaces and 2 bicycle parking spaces.
- The *Zoning Ordinance* promotes the reuse of existing buildings throughout the City by acknowledging all buildings constructed prior to 1992 as being vested from the basic parking minimum parking requirement of 1 space per 250 square feet. Therefore, this facility is vested for 9 parking spaces.
- The applicant has also secured an off-lot parking agreement with the adjacent property owner at 2500 Granby Street for 10 parking spaces.

iii. Flood Zone

The property is located in the X Flood Zone, which is a low risk flood zone.

D. Transportation Impacts

- Institute of Transportation Engineers (ITE) figures estimate that this use will generate 224 new vehicle trips per day.
- Based upon ITE data, the prior warehouse use on this site would be expected to generate 8 weekday trips while the proposed new brew house would be expected to generate 232 trips on weekdays.
- 21st Street near to the site is identified as a severely congested corridor in the PM peak in the current update to regional Hampton Roads Congestion Management analysis.
- The site is near transit service with Hampton Roads Transit bus route 4 (Church Street) operating near to the site.

E. Impact on the Environment

- Site improvements shall include landscaping along East 25th Street frontage.
- The applicant will need to obtain an encroachment for the outdoor standing area in the front of the building and for the storefront door, which opens out into the right-of-way.
- The site must continue to comply with all the standards set forth in the *Zoning Ordinance of the City of Norfolk, 1992*.

F. Impact on Surrounding Area/Site

By requiring this use to conform to the conditions listed below, the proposed entertainment establishment and microbrewery should not have a negative effect on the surrounding neighborhood.

G. Payment of Taxes

The owner of the property is current on all real estate taxes.

H. Civic League

- The applications were sent to the Park Place Civic League on April 15.
- A letter of support from the Park Place Civic League was received on May 18.

I. Communication Outreach/Notification

- Legal notice was posted on the property on April 21.
- Letters were mailed to all property owners within 300 feet of the property on May 13.
- Legal notification was placed in *The Virginian-Pilot* on May 14 and May 21.

J. Recommendation

Staff recommends that the special exception requests be **approved** subject to the conditions shown below:

Conditions – Entertainment Establishment with alcoholic beverages

- (a) The hours of operation for the facility may be 24-hours a days, seven days a week.
- (b) The hours of operation for the sale of alcoholic beverages and for entertainment shall be from 5:00 p.m. until 2:00 a.m. Monday through Friday, 1:00 p.m. until 2:00 a.m. Saturday, and 10:00 a.m. until 2:00 a.m. Sunday.
- (c) The seating for the establishment shall not exceed 48 seats indoors, 15 seats outdoors, and the total occupant capacity, including employees, shall not exceed 114 people. The use authorized by this special exception shall not commence until a certificate of occupancy reflecting these limits has been issued by the Department of Planning.
- (d) No portion of the outdoor dining area shall be enclosed and any covering must leave the dining space open on at least three sides and no portion of the outdoor dining area shall be heated or cooled.
- (e) Landscaping shall be installed in a buffer along the portions of the lot fronting East 25th Street in accordance with a plan prepared by the applicant and as approved by the Department of Planning and Department of Recreation, Parks, and Open Space, including any recommended modifications.
- (f) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation or management of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier. Notwithstanding the above, no violation of this condition shall be deemed to have occurred if the only change in management is a result of one or

more of the members of the management team identified in the Description of Operations ceasing to work at the establishment.

- (g) A minimum of two (2) bicycle parking spaces shall be provided.
- (h) Entertainment shall be limited to live bands having no more than 3 members, comedian, karaoke, poetry reading, and game/trivia nights. No other form of entertainment is permitted.
- (i) There shall be no dancing and no dance floor provided.
- (j) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto and marked as "Exhibit B."
- (k) No door to the establishment which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.
- (l) The establishment shall maintain a current, active business license at all times while in operation.
- (m) The establishment shall remain current on all food and beverages taxes and business personal property taxes which may become due while it is in operation.
- (n) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the special exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.
- (o) The establishment shall maintain a designated driver program which shall provide, at minimum, that designated drivers may be served non-alcoholic beverages at no charge. The establishment shall describe the program in writing and its availability shall be made known to patrons via either a printed card placed on each table and on the bar or a description printed on the menu.
- (p) The business authorized by this special exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this special exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new special exception must be obtained prior to implementing such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.

- (q) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this special exception. This special exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.
- (r) Neither the establishment nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event on the premises.
- (s) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.
- (t) In addition to the ABC manager or supervisor the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.
- (u) The establishment manager shall notify the Commissioner of the Revenue no less than 72 hours prior to the commencement of any event at which a cover charge is to be collected.
- (v) A binder or folder containing documentation relating to the operation of the establishment shall be kept on the premises at all times and shall be produced upon request made by any person. For purposes of this section, the documentation relating to the operation of the establishment shall include copies of the following:
 - (1) This special exception;
 - (2) Any ABC license(s);
 - (3) Any occupancy permit(s);
 - (4) Certifications of all persons who work on the premises as a security guard;
 - (5) All fire code certifications, including alarm and sprinkler inspection records;
 - (6) Any health department permit(s);

- (7) The emergency action plan required under the Fire Prevention Code;
 - (8) The names, addresses, and phone numbers of all persons who manage or supervise the establishment at any time;
 - (9) The establishment's designated driver program; and
 - (10) The establishment's Security Plan.
- (w) The business shall provide in-house security or retain the services of a licensed security firm to provide security services at a rate of one security guard per 50 guest occupants on the property whenever occupancy shall exceed 86 people or when otherwise required by at least 36 hours prior written notice of the Fire Marshal, Chief of Police, or any designee of either. After 8:00 p. m. each Friday and Saturday as well as during special events, a security supervisor certified either in the Responsible Hospitality Training course offered by the City of Norfolk or in accordance with the requirements of the Virginia Department of Criminal Justice Services shall be present on the property.
- (x) The written security plan submitted to the City as part of the application for this special exception and on file with the Department of Planning shall remain in full force and effect at all times while the establishment is in operation.

Conditions – Microbrewery

- (a) The hours of operation for the facility may be 24-hours a days, seven days a week.
- (b) The hours of operation for the sale of alcoholic beverages for on-premises consumption shall be from 5:00 p.m. until 2:00 a.m. Monday through Friday, 1:00 p.m. until 2:00 a.m. Saturday, and 10:00 a.m. until 2:00 a.m. Sunday.
- (c) The hours of operation for the sale of alcoholic beverages for off-premises consumption shall be limited to 5:00 p.m. until 12:00 a.m. Monday through Friday, 1:00 p.m. until 12:00 a.m. Saturday, and 10:00 a.m. until 12:00 a.m. Sunday.
- (d) The seating for the establishment shall not exceed 48 seats indoors, 15 seats outdoors, and the total occupant capacity, including employees, shall not exceed 114 people. The use authorized by this special exception shall not commence until a certificate of occupancy reflecting these limits has been issued by the Department of Planning.

- (e) This special exception shall terminate in the event of a change in ownership of the facility and may be revoked in the event of a change in the operation of the facility as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the facility shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier.
- (f) The business authorized by this Special Exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this Special Exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new Special Exception must be obtained prior to any such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (g) No alcoholic beverages other than beer, ale, or other fermented malt beverages shall be sold.
- (h) No alcoholic beverage having more than 21% alcohol by volume shall be sold for off-premises consumption.
- (i) No beer shall be sold in any package containing fewer than six (6) bottles or cans with the exception of refillable containers of at least 32 oz. capacity and those bottled beers which are exclusively produced in bottles greater than 12 oz. but less than 32 oz. in size. No wine shall be sold in containers less than 375 ml each.
- (j) The facility shall maintain a current, active business license at all times while in operation.
- (k) The establishment shall remain current on all food and beverages taxes and other local taxes which may become due while it is in operation.
- (l) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.

- (m) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this Special Exception. This Special Exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.
- (n) A copy of this Special Exception ordinance and "Exhibit A" shall be available on site at all times for inspection, and a notice indicating that this Special Exception ordinance and all amendments are kept on the premises and are available for review by any member of the general public shall be posted in a visible location. The notice shall also contain information on where and how to report violations of conditions and shall include the address of the zoning administrator.
- (o) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.
- (p) In addition to the ABC manager or supervisor, the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.

Attachments:

Location Map
Zoning Map
1000' radii map of similar ABC establishments
Applications
Off-Lot Parking Agreement
Notice to the Park Place Civic League
Letter of support from the Park Place Civic League
Letter of concern from adjacent property owner

Proponents and Opponents

Proponents

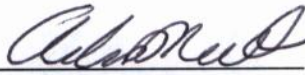
William T. Bell - Applicant
230 College Place #214
Norfolk, VA 23510

Ben McElroy - Applicant
1235 Decatur Street
Chesapeake, VA 23324


Opponents

None

Form and Correctness Approved: 

By 
Office of the City Attorney

Contents Approved: *cw*

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE OPERATION OF AN ENTERTAINMENT ESTABLISHMENT NAMED "RIP RAP BREWING COMPANY" ON PROPERTY LOCATED AT 114 EAST 25TH STREET, UNIT 116.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to Rip Rap Brewing Company, LLC authorizing the operation of an entertainment establishment named "Rip Rap Brewing Company" on property located at 114 East 25th Street, unit 116. The property which is the subject of this Special Exception is more fully described as follows:

Property fronting 50 feet, more or less, along the northern line of East 25th Street beginning 75 feet, more or less, from the western line of Monticello Avenue and extending westwardly; premises numbered 114 East 25th Street, unit 116.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation for the sale of alcoholic beverages for on-premises consumption and for entertainment shall be limited to 5:00 p.m. until 2:00 a.m. the following morning Monday through Friday, from 1:00 p.m. until 2:00 a.m. the following morning on Saturday, and from 10:00 a.m. until 2:00 a.m. the following morning on Sunday.
- (b) The seating for the establishment shall not exceed 48 seats indoors, 15 seats outdoors, and the total occupant capacity, including employees, shall not exceed 114 people. The use authorized by this Special Exception shall not commence until a certificate of occupancy reflecting these limits has been issued by the Department of Planning.

- (c) No portion of the outdoor dining area shall be enclosed, heated or cooled, and any covering must leave the dining space open on at least three sides.
- (d) Landscaping shall be installed in a buffer along the portions of the lot fronting East 25th Street in accordance with a plan prepared by the applicant and as approved by the Department of Planning and Department of Recreation, Parks, and Open Space, including any recommended modifications.
- (e) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation or management of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier. Notwithstanding the above, no violation of this condition shall be deemed to have occurred if the only change in management is a result of one or more of the members of the management team identified in the Description of Operations ceasing to work at the establishment.
- (f) Bicycle parking shall be provided on the site or within 50 feet of the site in order to accommodate storage of no fewer than two bicycles for public use. Such bicycle parking shall be visible from the establishment's main entrance
- (g) Entertainment shall limited to live bands having no more than three (3) members, karaoke, poetry reading, and games and trivia nights. No other form of entertainment is permitted.
- (h) There shall be no dancing and no dance floor provided.
- (i) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto and marked as "Exhibit B".

- (j) No door to the establishment which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.
- (k) The establishment shall maintain a current, active business license at all times while in operation.
- (l) The establishment shall remain current on all food and beverages taxes and business personal property taxes which may become due while it is in operation.
- (m) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.
- (n) The establishment shall maintain a designated driver program which shall provide, at minimum, that designated drivers may be served non-alcoholic beverages at no charge. The establishment shall describe the program in writing and its availability shall be made known to patrons via either a printed card placed on each table and on the bar or a description printed on the menu.
- (o) The business authorized by this Special Exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this Special Exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new Special Exception must be obtained prior to implementing such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (p) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission

shall be deemed a violation of this Special Exception. This Special Exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.

- (q) Neither the establishment nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event on the premises.
- (r) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.
- (s) In addition to the ABC manager or supervisor, the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.
- (t) The establishment manager shall notify the Commissioner of the Revenue no less than 72 hours prior to the commencement of any event at which a cover charge is to be collected.
- (u) A binder or folder containing documentation relating to the operation of the establishment shall be kept on the premises at all times and shall be produced upon request made by any person. For purposes of this section, the documentation relating to the operation of the establishment shall include copies of the following:
 - (1) This Special Exception;
 - (2) Any ABC license(s);

- (3) Any occupancy permit(s);
 - (4) Certifications of all persons who work on the premises as a security guard;
 - (5) All fire code certifications, including alarm and sprinkler inspection records;
 - (6) Any health department permits;
 - (7) The emergency action plan required under the Fire Prevention Code;
 - (8) The names, addresses, and phone numbers of all persons who manage or supervise the establishment at any time;
 - (9) The establishment's designated driver program; and
 - (10) The establishment's Security Plan.
- (v) The business shall provide in-house security or retain the services of a licensed security firm to provide security services at a rate of one security guard per 50 guest occupants on the property whenever occupancy shall exceed 86 people or when otherwise required by at least 36 hours prior written notice of the Fire Marshall, Chief of Police, or any designee of either. After 8:00 p. m. each Friday and Saturday as well as during special events, a security supervisor certified either in the Responsible Hospitality Training course offered by the City of Norfolk or in accordance with the requirements of the Virginia Department of Criminal Justice Services shall be present on the property.
- (w) The written security plan submitted to the City as part of the application for this Special Exception and on file with the Department of Planning shall remain in full force and effect at all times while the establishment is in operation.
- (x) Landscaping shall be installed as a component of any enclosure that is required for the outdoor

seating area.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause

substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;

- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENTS:

Exhibit A (3 pages)

Exhibit B (4 pages)



EXHIBIT "A"
Description of Operations
Entertainment Establishment
(Please Print)

Date 04/07/2015

Trade name of business Rip Rap Brewing Co.

Address of business 1104 E 25th St., Norfolk, VA

Name(s) of business owner(s)* William T Bell, Bennington R Mcelroy **DBA: RIP RAP BREWING CO LLC**

Name(s) of property owner(s)* Paul A Fillion

Name(s) of business manager(s)/operator(s) Same as owners

Daytime telephone number () 860-941-4551/610-585-1563

*If business or property owner is a partnership, all partners must be listed.

*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

Facility	Alcoholic Beverage Sales ^{On and Off-Premises} and Entertainment
Weekday From <u>12 AM</u> To <u>12 AM</u>	Weekday From <u>5 PM</u> To <u>2 AM</u>
Friday From <u>12 AM</u> To <u>12 AM</u>	Friday From <u>5 PM</u> To <u>2 AM</u>
Saturday From <u>12 AM</u> To <u>12 AM</u>	Saturday From <u>1 PM</u> To <u>2 AM</u>
Sunday From <u>12 AM</u> To <u>12 AM</u>	Sunday From <u>10 AM</u> To <u>2 AM</u>

2. Type of ABC license applied for (check all applicable boxes):

☒ On-Premises ☒ Off-Premises (second application required)

3. Type of alcoholic beverage applied for:

☒ Beer ☐ Wine ☐ Mixed Beverage

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January 2015)

Exhibit A – Page 2
Entertainment Establishment

4. Will video games, pool tables, game boards or other types of games be provided?
☒ Yes (If more than 4, additional application required) ☐ No

4a. If yes, please describe type and number of each game to be provided:
Corn Hole, Board Games

5. Will patrons ever be charged to enter the establishment?
☒ Yes ☐ No

5a. If yes, why:

Special Events

- 5b. Which days of the week will there be a cover charge (circle all applicable days):

☒ Monday ☒ Tuesday ☒ Wednesday ☒ Thursday ☒ Friday
☒ Saturday ☒ Sunday

6. Will the facility or a portion of the facility be available for private parties?
☒ Yes ☐ No

6a. If yes, explain:

Special Events

7. Will a third party (promoter) be permitted to lease, let or use the establishment?
☐ Yes ☒ No

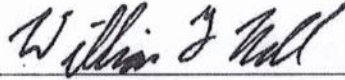
7a. If yes, explain:

8. Will there ever be a minimum age limit?
☐ Yes ☒ No

Exhibit A – Page 3
Entertainment Establishment

9. Additional comments/description/operational characteristics or prior experience:

Note: If smoking is permitted, then floor plans must be submitted showing all necessary building requirements for such facility



Signature of Applicant

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508
Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January 2015)

Exhibit B

Floor Plan(s) Worksheet Entertainment Establishment

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (including employees)

1. Total capacity

a. Indoor

Number of seats (not including bar seats)	<u>48</u>
Number of bar seats	<u>0</u>
Standing room	<u>43</u>

b. Outdoor

Number of seats	<u>0</u>
-----------------	----------

c. Number of employees

8

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 99

2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

Trivia

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment _____

Square footage of dance floor _____

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING
810 Union Street, Room 508
Norfolk, Virginia 23510
Telephone (757) 664-4752 Fax (757) 441-1569
(Revised January 2015)

Exhibit A – Floor Plan(s) Worksheet Entertainment Establishment

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (including employees)

1. Total capacity

a. Indoor

Number of seats (not including bar seats)	<u>48</u>
Number of bar seats	<u>0</u>
Standing room	<u>43</u>

b. Outdoor

Number of seats	<u>15</u>
-----------------	-----------

c. Number of employees

8

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 114

2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

Trivia

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment _____

Square footage of dance floor _____

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

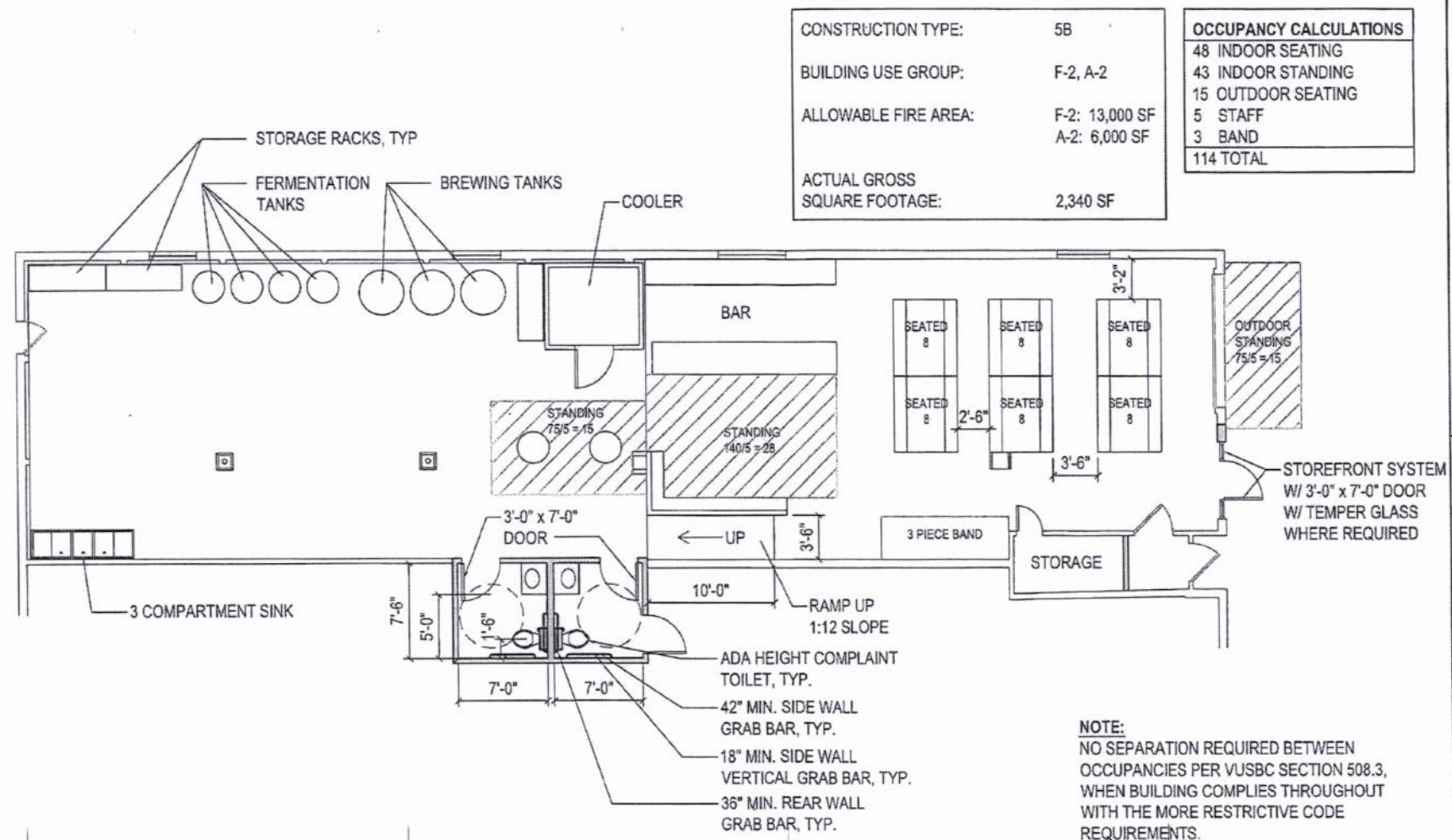
DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January 2015)



RIPRAP BREWING COMPANY
SPACE LAYOUT

116 E. 25TH STREET
NORFOLK, VA

Revisions:

Date: 4/16/2015
Project: 00000.000

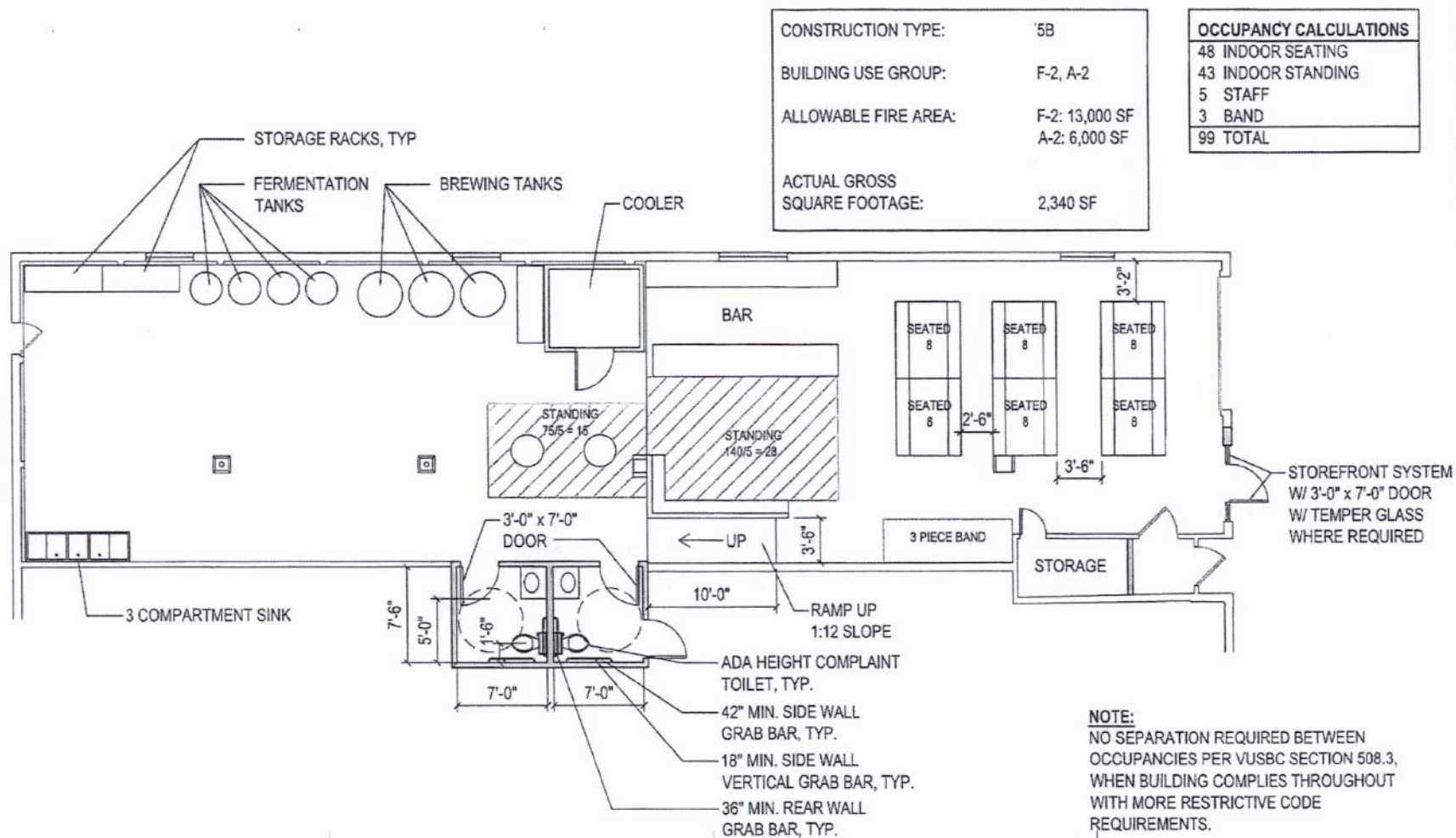
RIPRAP BREWING COMPANY - 116 E. 25TH STREET, NORFOLK, VA 23517

SCALE: 1/8" = 1'-0"

LEGEND - NEW CONSTRUCTION

PARTITION

DOOR



RIPRAP BREWING COMPANY
SPACE LAYOUT

116 E. 25TH STREET
NORFOLK, VA

Revisions:

Date: 4/9/2015

Project: 00000.000

RIPRAP BREWING COMPANY - 116 E. 25TH STREET, NORFOLK, VA 23517


SCALE: 1/8" = 1'-0"

LEGEND - NEW CONSTRUCTION

PARTITION

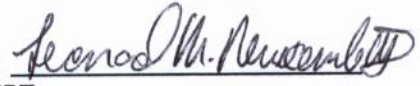
DOOR

Form and Correctness Approved:

By 
Office of the City Attorney

NORFOLK, VIRGINIA

Contents Approved: 

By 
DEPT.

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE OPERATION OF A MICROBREWERY NAMED "RIP RAP BREWING COMPANY" ON PROPERTY LOCATED AT 114 EAST 25TH STREET, UNIT 116.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to Rip Rap Brewing Company, LLC authorizing the operation of a microbrewery named "Rip Rap Brewing Company" on property located at 114 East 25th Street, unit 116. The property which is the subject of this Special Exception is more fully described as follows:

Property fronting 50 feet, more or less, along the northern line of East 25th Street beginning 75 feet, more or less, from the western line of Monticello Avenue and extending westwardly; premises numbered 114 East 25th Street, unit 116.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation for the sale of alcoholic beverages for off-premises consumption shall be limited to 5:00 p.m. until 12:00 midnight Monday through Friday, from 1:00 p.m. until 12:00 midnight on Saturday, and from 10:00 a.m. until 12:00 midnight on Sunday. No sales of alcoholic beverages for off-premises consumption outside of the hours of operation listed herein shall be permitted.
- (b) The seating for the establishment shall not exceed 48 seats indoors, 15 seats outdoors, and the total occupant capacity, including employees, shall not exceed 114 people. The use authorized by this Special Exception shall not commence until a certificate of occupancy reflecting these limits

has been issued by the Department of Planning.

- (c) There shall be no entertainment, no dancing, and no dance floor provided, except as may be authorized by a special exception permitting the operation of an entertainment establishment granted to the same operator as holds this special exception.
- (d) This special exception shall terminate in the event of a change in ownership of the facility and may be revoked in the event of a change in the operation of the facility as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the facility shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier.
- (e) The business authorized by this Special Exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this Special Exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new Special Exception must be obtained prior to any such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (f) No alcoholic beverages other than beer, ale, or other fermented malt beverages shall be sold for off-premises consumption.
- (g) The only alcoholic beverages that may be sold for off-premises consumption are those produced on site.
- (h) No alcoholic beverage having more than 21% alcohol by volume shall be sold for off-premises consumption.

- (i) No beer shall be sold in any package containing fewer than four (4) bottles or cans with the exception of fillable or refillable containers of at least 32 oz. capacity, with the exception of those bottled craft beers which are exclusively produced in bottles greater than 12 ounces but less than 32 ounces in size.
- (j) The facility shall maintain a current, active business license at all times while in operation.
- (k) The establishment shall remain current on all food and beverages taxes and other local taxes which may become due while it is in operation.
- (l) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.
- (m) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this Special Exception. This Special Exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.
- (n) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.
- (o) In addition to the ABC manager or supervisor, the applicant shall provide such additional paid staff

as may be necessary to coordinate, supervise, and manage any event held on the premises.

- (p) A copy of this Special Exception ordinance and "Exhibit A" shall be available on site at all times for inspection, and a notice indicating that this Special Exception ordinance and all amendments are kept on the premises and are available for review by any member of the general public shall be posted in a visible location. The notice shall also contain information on where and how to report violations of conditions and shall include the address of the zoning administrator.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities,

drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;

- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:

Exhibit A (5 pages)



EXHIBIT "A"
Description of Operations
Entertainment Establishment
(Please Print)

Date 04/07/2015

Trade name of business Rip Rap Brewing Co.

Address of business 110⁴ E 25th St., Norfolk, VA

Name(s) of business owner(s)* William T Bell, Bennington R Mcelroy DBA: RIP RAP BREWING CO LLC

Name(s) of property owner(s)* Paul A Fillion

Name(s) of business manager(s)/operator(s) Same as owners

Daytime telephone number () 860-941-4551/610-585-1563

*If business or property owner is a partnership, all partners must be listed.

*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

Facility	Alcoholic Beverage Sales and Entertainment
Weekday From <u>12 AM</u> To <u>12 AM</u>	Weekday From <u>5 PM</u> To <u>2 AM</u>
Friday From <u>12 AM</u> To <u>12 AM</u>	Friday From <u>5 PM</u> To <u>2 AM</u>
Saturday From <u>12 AM</u> To <u>12 AM</u>	Saturday From <u>1 PM</u> To <u>2 AM</u>
Sunday From <u>12 AM</u> To <u>12 AM</u>	Sunday From <u>10 AM</u> To <u>2 AM</u>

2. Type of ABC license applied for (check all applicable boxes):

☒ On-Premises ☒ Off-Premises (second application required)

3. Type of alcoholic beverage applied for:

☒ Beer ☐ Wine ☐ Mixed Beverage

Exhibit A – Page 2
Entertainment Establishment

4. Will video games, pool tables, game boards or other types of games be provided?
☒ Yes (If more than 4, additional application required) ☐ No

4a. If yes, please describe type and number of each game to be provided:

Corn Hole, Board Games

5. Will patrons ever be charged to enter the establishment?

☒ Yes ☐ No

5a. If yes, why:

Special Events

5b. Which days of the week will there be a cover charge (circle all applicable days):

☒ Monday ☒ Tuesday ☒ Wednesday ☒ Thursday ☒ Friday
☒ Saturday ☒ Sunday

6. Will the facility or a portion of the facility be available for private parties?

☒ Yes ☐ No

6a. If yes, explain:

Special Events

7. Will a third party (promoter) be permitted to lease, let or use the establishment?

☐ Yes ☒ No

7a. If yes, explain:

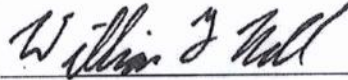
8. Will there ever be a minimum age limit?

☐ Yes ☒ No

Exhibit A – Page 3
Entertainment Establishment

9. Additional comments/description/operational characteristics or prior experience:

Note: If smoking is permitted, then floor plans must be submitted showing all necessary building requirements for such facility



Signature of Applicant

**Exhibit A – Floor Plan(s) Worksheet
Entertainment Establishment**

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (including employees)

1. Total capacity

a. Indoor

Number of seats (not including bar seats)	<u>48</u>
Number of bar seats	<u>0</u>
Standing room	<u>43</u>

b. Outdoor

Number of seats	<u>0</u>
-----------------	----------

c. Number of employees

8

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 99

2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

Trivia

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment _____
Square footage of dance floor _____

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508
Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569
(Revised January 2015)

**Exhibit A – Floor Plan(s) Worksheet
Entertainment Establishment**

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (including employees)

1. Total capacity

a. Indoor

Number of seats (not including bar seats)	<u>48</u>
Number of bar seats	<u>0</u>
Standing room	<u>43</u>

b. Outdoor

Number of seats	<u>15</u>
-----------------	-----------

c. Number of employees

8

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 114

2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

Trivia

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment _____

Square footage of dance floor _____

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING

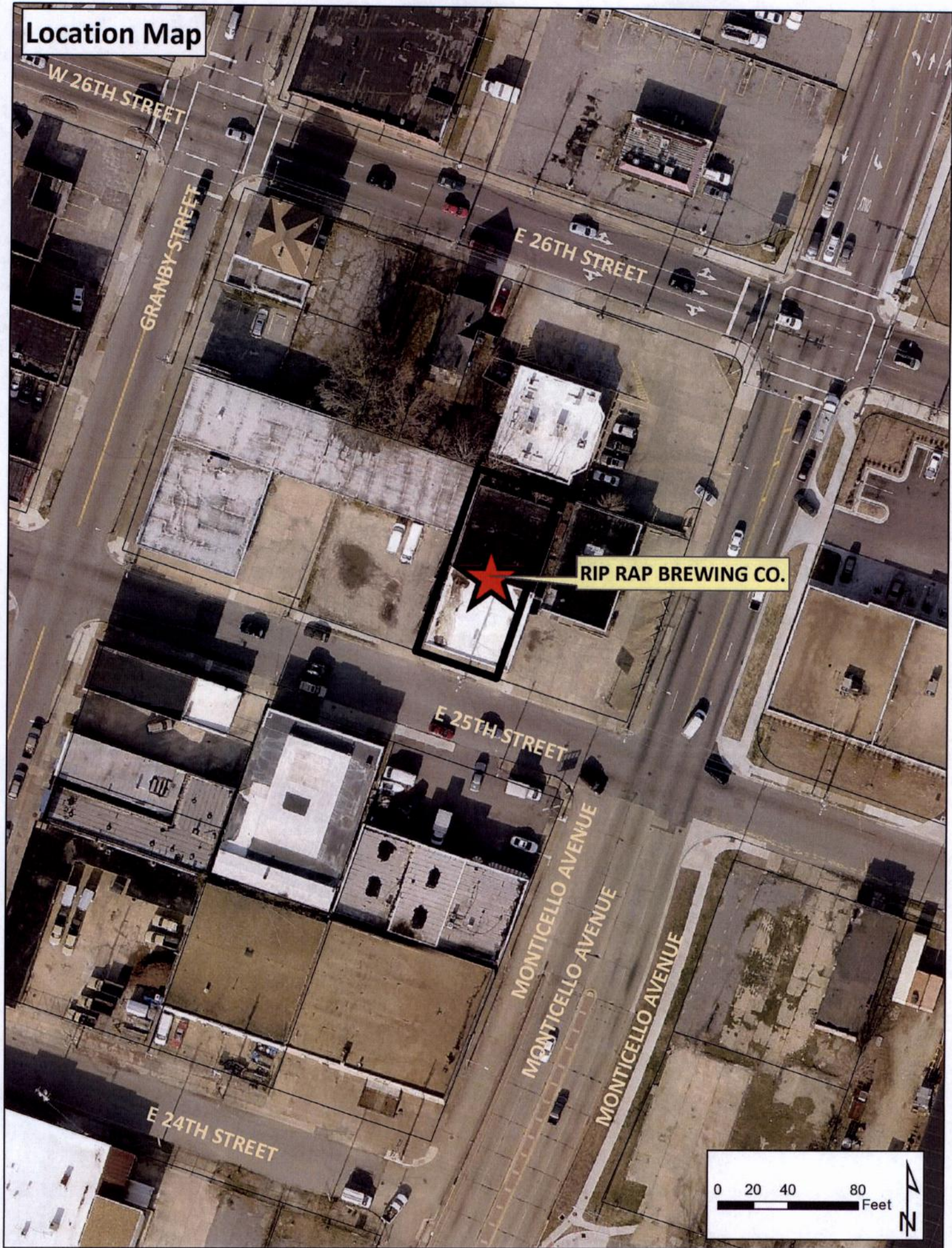
810 Union Street, Room 508

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(Revised January 2015)

Location Map

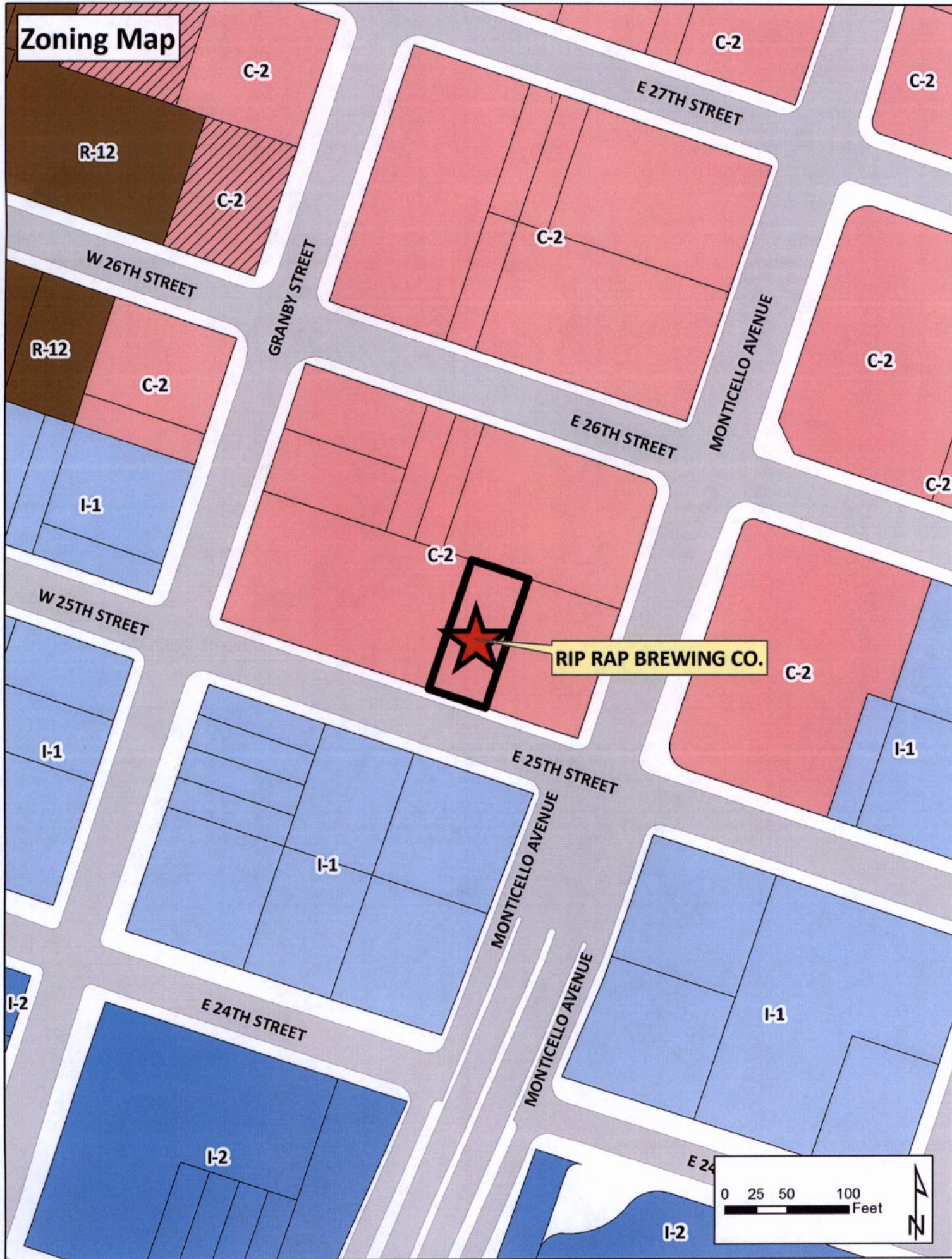


RIP RAP BREWING CO.

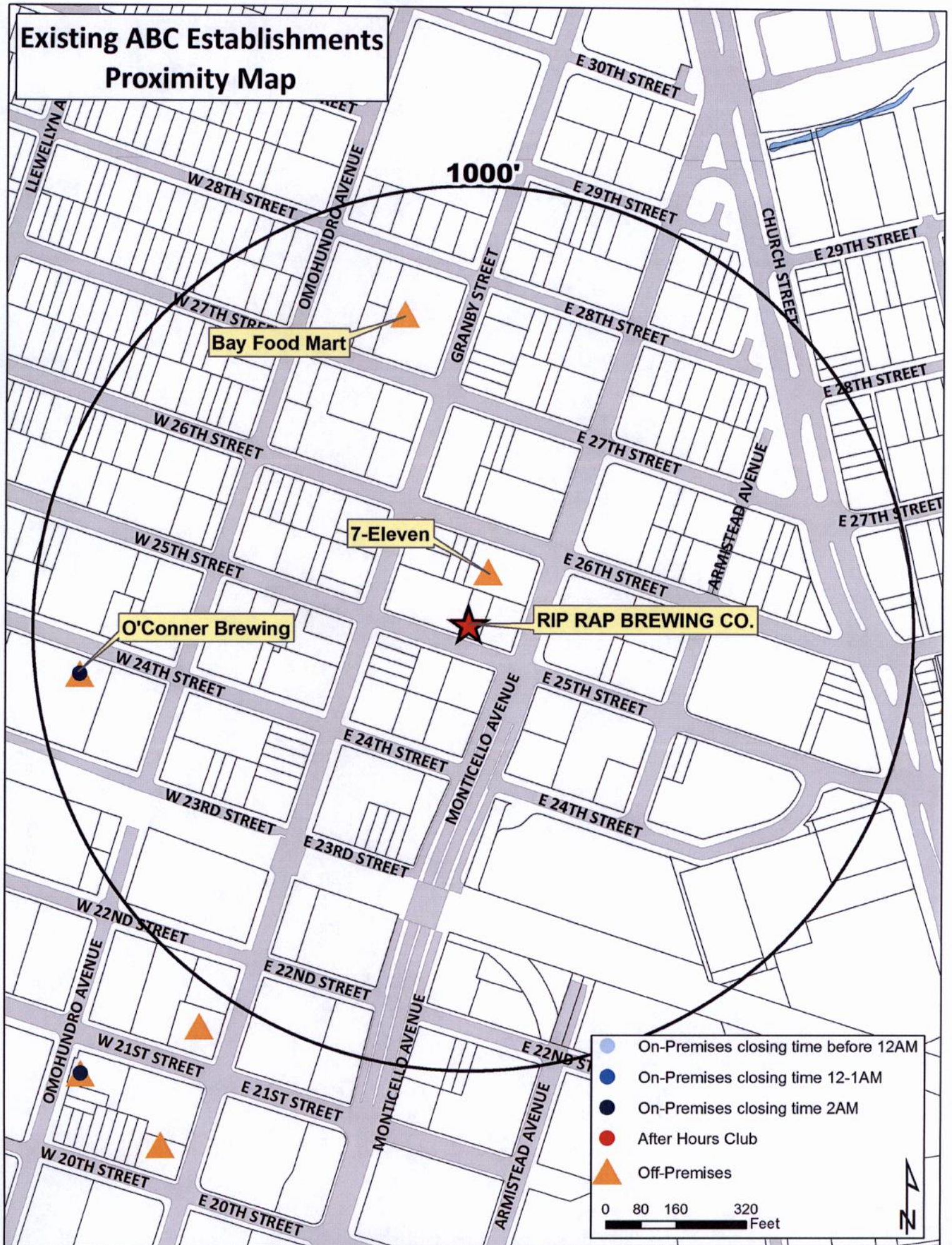
0 20 40 80 Feet



Zoning Map



Existing ABC Establishments Proximity Map





**APPLICATION
ADULT USE SPECIAL EXCEPTION
ENTERTAINMENT ESTABLISHMENT
(Please Print)**

Date 04/07/2015

DESCRIPTION OF PROPERTY

Address 114 E 25th St. Unit 116, Norfolk, VA, 23517

Existing Use of Property Warehouse

Proposed Use Microbrewery

Current Building Square Footage 2340

Proposed Building Square Footage 2340

Trade Name of Business (If applicable) Rip Rap Brewing Co.

APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) Bell (First) William (MI) T

Mailing address of applicant (Street/P.O. Box): 230 College PI #214

(City) Norfolk (State) VA (Zip Code) 23510

Daytime telephone number of applicant () 860-941-4551 Fax () _____

E-mail address of applicant: RipRapBrewing@gmail.com

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January 2015)

**Application
Entertainment Establishment
Page 2**

AUTHORIZED AGENT (if applicable)

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) Mcelroy (First) Bennington (MI) R

Mailing address of applicant (Street/P.O. Box): 1235 Decatur St.

(City) Chesapeake (State) VA (Zip Code) 23324

Daytime telephone number of applicant () 610-585-1563 Fax () _____

E-mail address of applicant: RipRapBrewing@gmail.com

PROPERTY OWNER

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) Filion (First) Paul (MI) A

Mailing address of property owner (Street/P.O. box): 611 Vanderbilt Ave

(City) Virginia Beach (State) VA (Zip Code) 23451

Daytime telephone number of owner () 613-7080 email: paul.filion@norfolk.gov

CIVIC LEAGUE INFORMATION

Civic League contact: Frank Kriston

Date(s) contacted: 04/06/15

Ward/Super Ward information: (2) Theresa Whibley / (7) Angelia Williams

REQUIRED ATTACHMENTS

CERTIFICATION

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Paul A. Filion Sign: Paul A. Filion 4/10/15
(Property Owner or Authorized Agent of Signature) (Date)

Print name: William T Bell Sign: William T Bell 4/10/15
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: BENNINGTON A. MCELROY Sign: BENNINGTON A. MCELROY 4/10/15
(Authorized Agent Signature) (Date)

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508
Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569
(Revised January 2015)

L.S.



SECURITY PLAN
BY
BENNINGTON MCELROY AND WILLIAM BELL
FOR
RIP RAP BREWING COMPANY
114 EAST 25TH STREET, UNIT 116
NORFOLK, VA 23517

Definition of "Security"

se·cu·ri·ty – noun

1. freedom from danger, risk, etc.; safety.
2. freedom from worry, anxiety, or doubt; well-founded confidence.
3. something that secures or makes safe; protection; defense.
4. precautions taken to guard against crime, attack, etc.

Goals:

- To create a safe and secure environment within Rip Rap Brewing Co. For all patrons and employees.
- To provide a level of control and safety for all arriving and departing guests of Rip Rap Brewing Co.
- To mitigate any noise or inappropriate conduct by patrons of Rip Rap Brewing Co. entering or leaving the facility which impairs the quiet enjoyment of immediate neighbors, particularly residents living nearby.
- To ensure a complete, orderly, safe, and swift evacuation of the facility in case of fire, explosion, or any other uncontrolled dangers within the building.
- To protect, promote, and improve the courteous, inviting, and hospitable character of the neighborhood and the City of Norfolk.

Features of the Plan:

Security Team:

The security of the establishment will be the responsibility of the staff employed by Rip Rap Brewing Co. Employees will wear clothing identifying themselves as staff members. At no time will staff carry weapons.

Visibly intoxicated patrons will be refused service and escorted off the premises if causing any disruption to others. No smoking will be permitted in the building and violators will be asked to relocate outside. Staff will contact law enforcement if patrons do not comply.

Access:

Patrons will only enter and exit to and from the sidewalk via the front door during normal (non-emergency) operation conditions.

Integration:

The establishment will rely on law enforcement when patrons do not comply with staff direction or any criminal activity is witnessed.

Uniform for Security Team:

All staff members will wear "Rip Rap Brewing Co." apparel.

Security Team:**Personnel:**

- 1 Team Leader (Owner or Manager)
- 1 Door Person to manage head count (during large events and busy hours only)
- Any additional personnel will follow Team Leader direction

General Duties and Responsibilities:

All staff members are responsible for being alert and attentive at all times to identify potential security issues before they become serious problems. All potential issues will be addressed immediately and reported to law enforcement if required.

Electronic Security:

Cameras will be installed to monitor all areas of the facility (minus restrooms) and recorded data will be stored digitally. Copies of recorded data will be made available to law enforcement upon request. Smoke detectors will be located in the front and rear sections of the facility.

Emergency Evacuation Plan:

In the event of an emergency evacuation, patrons will exit via the main entrance at the front of the building or the emergency exit in the rear. Staff will ensure patrons use the nearest exit and everyone has left the building before they themselves exit. Patrons will be directed to congregate away from the building and in a safe location.



APPLICATION SPECIAL EXCEPTION

Special Exception for: Microbrewery (Rip Rap Brewing Co.)

Date of application: 04/10/2015

DESCRIPTION OF PROPERTY

Property location: (Street Number) 114, Unit 116 (Street Name) E 25th St

Existing Use of Property Warehouse

Current Building Square Footage 2340

Proposed Use

Microbrewery

Proposed Square Footage 2340

Proposed Hours of Operation: *SERVING*

HOURS OF OPERATION:

Weekday From ~~10 AM~~ 5 PM To 2 AM

24/7

Friday From ~~10 AM~~ 5 PM To 2 AM

Saturday From ~~10 AM~~ 1 PM To 2 AM

Sunday From 10 AM To 2 AM

Trade Name of Business (If applicable) Rip Rap Brewing Co.

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508
Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) (First) (MI)

Mailing address of applicant (Street/P.O. Box):

(City) (State) (Zip Code)

Daytime telephone number of applicant () Fax ()

E-mail address of applicant:

AUTHORIZED AGENT (if applicable)

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) (First) (MI)

Mailing address of applicant (Street/P.O. Box):

(City) (State) (Zip Code)

Daytime telephone number of applicant () Fax ()

E-mail address of applicant:

PROPERTY OWNER

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) (First) (MI)

Mailing address of property owner (Street/P.O. box):

(City) (State) (Zip Code)

Daytime telephone number of owner () email:

CIVIC LEAGUE INFORMATION

Civic League contact: Frank Kriston

Date(s) contacted: 04/06/2015

Ward/Super Ward information: (2) Theresa Whibley / (7) Angelia Williams

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Paul A. Filion Sign: Paul A. Filion 4/10/15
(Property Owner or Authorized Agent of Signature) (Date)

Print name: William T Bell Sign: William T Bell 4/10/15
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: BENNINGTON R. MUELLER Sign: Ben R. Mueller 4/10/15
(Authorized Agent Signature) (Date)



Description of Operations

We are applying for a special exception to operate a Microbrewery at 114 E 25th St., Unit 116. We will have a taproom in the building and will also sell beer off-premises in Growlers (64 or 32 oz.), bottles (22 oz or six pack of 12 oz. bottles), as well as kegs. Operations will be from 12 AM to 12 AM, and Alcohol sales will be from 10 AM to 2 AM daily. We will be operating a 2.5 BBL brewing system, and will have approximately 5 employees. The front of half of the space will primarily be allocated for the tasting room as well as the bar for serving our beer. The back of the space will be for production of beer, but also will serve as additional standing room during serving hours. As shown in the drawing, we plan to apply for an encroachment for additional standing room in front of the building in the future, and will consider a deck in the rear of the building for additional space.

The building will have a capacity of 140 people, and we are currently significantly upgrading the building's appearance as well as its safety. We will be adding a glass storefront entrance door, which will greatly enhance the appearance and curb appeal of the building. The rear exit will be replaced with a steel exit door, enhancing the safety of the building. We are also adding 2 handicap accessible restrooms, which the building currently lacks. The wiring and electricity services will be upgraded and replaced to bring the building up to the capacity we require.

PARKING AGREEMENT

The following is a mutual agreement allowing Rip Rap Brewing Company patrons to utilize the parking lot specified below on the days and times indicated. Rip Rap Brewing Company will be responsible for the removal of any patron's vehicle parked during unauthorized hours. This agreement is valid while both businesses are operational in their existing locations. This agreement may be terminated if the parking lot owner changes the use of the lot (i.e. building additions, private storage).

Parking Lot Owner: HANNA AUTOMOTIVE WASH. INC

Parking lot location: 2500 GRANBY ST
NOFOLK, VA 23517

Number of Spaces Available: 10

Days and Hours of Availability:

Mon-Fri: 5pm - 6pm

Sat: 1pm - 7pm

Sun: ASL

Notes/Special Conditions:


Parking Lot Owner

4/6/15
Date


Rip Rap Brewing Co.

06 APR 15
Date